**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08MD1932-MU**

IN RE FAMILY DOLLAR FLSA LITIGATION	: : : : : : : : : : : : : : :	**ORDER**
Concerning Latner v. Family Dollar Stores,		
Scott v. Family Dollar Stores, and Slater v.		
Family Dollar Stores		

This matter is before the Court on Defendant's Motion to Dismiss Opt-In Plaintiff Audrey Davis for Failure to Respond to Discovery and Failure to Prosecute (Doc. No. 733) and Defendant's Motion to Dismiss Certain Intervenors for Failure to Comply with the Court's Order and Failure to Prosecute (Doc. No. 723). The Court notes that the time for Plaintiff to file a response to Defendant's Motions has expired and Plaintiff has failed to file a response to either motion. Therefore, for the reasons stated in Defendant's motions, Ms. Audrey Davis is dismissed with prejudice for her failure to respond to discovery and her failure to prosecute and Intervenors Sharon Lewis, Melissa Reeves and Brenda Davis are dismissed for failure to comply with the Court's Order regarding depositions and failure to prosecute.

THEREFORE, IT IS ORDERED that:

     (1)   Defendant's Motion to Dismiss Opt-In Plaintiff Audrey Davis for Failure to Respond to Discovery and Failure to Prosecute (Doc. No. 733) is GRANTED.

(2)   Defendant's Motion to Dismiss Certain Intervenors for Failure to Comply with the Court's Order and Failure to Prosecute (Doc. No. 723) is GRANTED;

(3)   Plaintiff Audrey Davis, Sharon Lewis, Melissa Reeves and Brenda Davis' claims against Family Dollar are dismissed with prejudice;

(3)   The Court finds that there is no just reason to delay entry of final judgment for Family Dollar with respect to Plaintiff Audrey Davis, Sharon Lewis, Melissa Reeves and Brenda Davis' claims against Family Dollar;

(4)   The Clerk is directed to enter final judgment, pursuant to Rule 54(b), for Family Dollar with respect to Plaintiffs Audrey Davis, Sharon Lewis, Melissa Reeves and Brenda Davis;

SO ORDERED.

Signed: January 3, 2012

Graham C. Mullen
United States District Judge